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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,277	11/05/2001	Nancy C. Cheung	100200074-1	6352

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

ENG, DAVID Y

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/993,277	<b>Applicant(s)</b> CHEUNG ET AL.	
	<b>Examiner</b> DAVID Y. ENG	<b>Art Unit</b> 2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/3/2002</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

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Applicants indicate on the first page of their specification that this application is a CIP of another earlier filed application. Should applicant desire to obtain the benefit of the filing date of the prior application, attention is directed to 35 U.S.C. 120 and 37 CFR 1.78. Applicants also are requested to file a new declaration to identify the parent.

Applicants are further requested to provide the serial number and other information related to the parent on page one of the specification.

Claims 5, 11, 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 5, it is not seen how the steps recited therein are related to routing email messages recited in parent claim 1.

Claim 11 contradicts with parent claim in that parent claim requires routing without human intervention.

In claim 14, parent claim 1 recites that the characteristic information of a user is included in the email message. Therefore, it is not seen how the web server is related to selecting an e-mail server.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- are rejected under 35 U.S.C. 103(a) as being unpatentable over Miloslavsky (6,732,156) in view of Tarbotton (USP 6,757,830).

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See at least the abstract, Figures 1 and 3, the corresponding description and claims 1 and 10 in Miloslavsky. Miloslavsky taught a system and a method of routing email messages (see abstract) to an appropriate one of a plurality of distributed email servers (the e-mail server of the selected support person, see claim 1 and the abstract)) for handling by personnel (the support person having the specific skill) assigned to such appropriate one without requiring human intervention (the email in Miloslavsky is automatically routed by router 116 of Figure 1) for said routing, the method comprising:

- receiving (step 152 of Figure 3) an email message at a first server (e-mail server of step 152);

- executing software on said first server to autonomously determine characteristic information (step 154 of Figure 3, information is extracted from the e-mail) of a user having submitted information included in said email message;

- executing software on said first server to autonomously select an appropriate one of a plurality of distributed e-mail servers for receipt of said email message based at least in part on said determined characteristic information of said user (a person having the specific skill in selected, see step 158); and

- executing software on said first server to autonomously route said email message to the selected email serve (see step 160, the e-mail is routed to the selected person having the specific skill).

Miloslavsky only show one recipient mail server (102 of Figure 1). That is because all the support persons in Miloslavsky are located in one processing center (100 of figure 1 and lines 21–23 column 5). Tarbotton shows in Figure 1 that all e-mail

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recipients (4) require recipient mail server (12) in order to receive e-mails from Internet or network. If the support persons in Miloslavsky are located in different remote area, it would have been obvious to a person of ordinary skill in the art to incorporate more e-mail servers as taught by Tarbotton because otherwise the support persons would not be able to receive e-mails.

As to claims 2-4, label of servers is not a patentable subject matter.

As to claim 5, state-server 112 in Miloslavsky also stores user information.

As to claims 6-12, the received e-mails in Miloslavsky are also routed to different supporting persons dependent on their specific skills (see line 11-23 of column 2, lines 10-12, 26-28 and 60-64 of column 3 in Miloslavsky).

As to claims 13-14, see database 114 of Figure 1 in Miloslavsky).

Claims 15-20 do not define above the invention claimed in claims 1-14 and therefore are rejected for the same reasons.



ANDREW L. LIND  
PRIMARY EXAMINER